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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,778	01/27/2004	Lane Thomas Holloway	AUS920030987US1(4029)	2464
45557 7590 02/26/2007 IBM CORPORATION (JSS) C/O SCHUBERT OSTERRIEDER & NICKELSON PLLC 6013 CANNON MOUNTAIN DRIVE, S14 AUSTIN, TX 78749			EXAMINER HASSAN, RASHEDUL	
			ART UNIT 2109	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/765,778	Applicant(s) HOLLOWAY ET AL.	
	Examiner Rashedul Hassan	Art Unit 2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,9,10,11,18,19,20 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Arnold et al. (US 6,502,000 B1) hereinafter Arnold.

For claims 1,2,9,10,11,18,19,20 and 26, Arnold teaches a method for a client device (12 in Fig. 2) having a common interface to interact with a server device (11 in Fig. 1) having an interface, the method comprising: receiving, by the client device, of user interface descriptions from the server device (21 in Fig. 2), wherein the user interface descriptions comprise commands and options; mapping of the commands and the options to inputs on the common interface, thereby producing mapped inputs (22 in Fig. 2); and transmitting a selected one of the mapped inputs from the client device to the server device for execution by the server device (24 in Fig. 2). Hirota further teaches executing the selected one of the mapped inputs received by the server device (25 in Fig. 2, also see column 2 lines 4-43).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12,14-16 and 18-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirota et al. (US 2003/0158898 A1) hereinafter Hirota.

For claims 1,9,10,18,19,26 and 27, Hirota teaches a method for a client device (102 in Fig. 1) having a common interface to interact with a server device (101 in Fig. 1) having an interface, the method comprising: receiving, by the client device, of user interface descriptions from the server device ([0020] recites receiving “dialog information” which constitutes the user interface description of the device to be controlled. Furthermore [0203] teaches that the Bind Layer Inference module 1401 in Fig. 6 may be formed on the control device to generate the mapping), wherein the user interface descriptions comprise commands ([0137]) and options ([0129]); mapping of the commands and the options to inputs on the common interface, thereby producing mapped inputs ([0021]); and transmitting a selected one of the mapped inputs from the client device to the server device for execution by the server device ([0188]).

For claims 2,3,11,12,20 and 21, Hirota further teaches executing the selected one of the mapped inputs received by the server device, wherein the executing comprises reading xml associated with the selected one of the mapped inputs transmitted to the server device, and performing the selected one of the mapped inputs ([0188]).

For claims 4-6,14 and 22-24, Hirota further teaches prompting the client device for configuring the inputs of the client device by the user ([0206] to [0215] teaches how a wizard type program can prompt a user through configuration of the control device).

For claim 7, Hirota further teaches that the receiving of the user interface description comprises receiving XML files (Fig. 21A and 21B, also [0141]).

For claims 8 and 25, Hirota further teaches the receiving and the transmitting comprises via wireless communication between the client device and the server device ([0093]).

For claims 15 and 16, Hirota further teaches that the client device comprises a portable device or PDA ([0199]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirota.

For claim 17, Hirota does not explicitly teach that the server device comprises vending machine. However, Hirota teaches that any arbitrary device can be controlled by any arbitrary device according to the teachings of his invention ([0197]).

Furthermore, in the background of the invention, Hirota strongly suggests operating home electric appliances and automatic vending machines (as long as they have CPUs and communication functions and linkup capability via a network) using, as remote controllers, various mobile devices. Therefore, it would have been obvious for a person of ordinary skill in the art at the time of the invention to modify Hirota's teachings to use a vending machine as the controlled device to arrive at the instant invention. The motivation would have been to improve the users convenience (Hirota, [0013]).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirota in view of Margalit et al. (US 6,763,399 B2) hereinafter Margalit.

For claim 13, according to the instant disclosure, the logic, enabled by software and/or hardware on the server device 115 for sending the user interface descriptions 122 to the client device 105 may be integral to the server device 115, or the functionality may be reduced to and encompassed within an add-on device in communication with the server device 115, wherein the add-on device operates as the server device 115 by connecting to a vending machine or other device through, for example, a USB port on the vending machine or other device. Hirota does not teach that the server device comprises a functionality reduced to an add-on device. However, Margalit teaches a system and method of reducing a smart card functionality of a host system to an add-on portable device that has a USB interface for connecting the portable device with the host via USB protocol and a microprocessor for controlling the transfer of data via the USB interface and a smart card chip for performing the smart card functionality. Margalit essentially teaches a method of reducing some functionality of a host server to an add-on device. Therefore, it would have been obvious for a person of ordinary skill in the art at the time of the invention to modify Hirota's teachings with that of Margalit in order to reduce the functionality of sending the user interface descriptions to the client device to an add-on device. The motivation would have been to provide the mobile population the benefit of using the invention using existing conventional devices equipped with USB interface (Margalit, column 1 lines 16-20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashedul Hassan whose telephone number is 571-272-9481. The examiner can normally be reached on M-Th 7:30AM-5PM EST and Alt Fri 7:30AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker can be reached on 571-272-9821. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



(Rashedul Hassan)



JEFFREY STUCKER
SUPERVISORY PATENT EXAMINER